



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: MARCH 18, 2019

FROM: Planning Services Department

DATE: February 25, 2019

SUBJECT: Recommendation Report, Draft Plan of Condominium, Ankara Realty Ltd (The Remington Group), George Savage & Rivertrail Common, File No. 24CDM-18004/1319

LOCATION: 3016-3042, 3046, 3048, 3050 George Savage Avenue and 3000 to 3033 Rivertrail Common

WARD: 7

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RECOMMENDATION:

1. That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Condominium (File No. 24CDM-18004/1319) submitted by Ankara Realty Limited (The Remington Group) prepared by Schaeffer Dzaldov Bennett Limited dated December 18, 2018 subject to the conditions contained in Appendix 'C'.
2. That notice of Council's decision reflects that the comments from the public have been appropriately addressed.

KEY FACTS

The following are key facts for consideration with respect to this report:

- The subject lands are located at the southwest corner of George Savage Avenue & Hibiscus Gardens, east of Shannon's Creek.
- The development was granted final site plan approval (SP. 1318.004/01) on November 9, 2017.
- Council approved the related draft plan of subdivision (24T-14001/1318) on June 9, 2014 and it was registered on April 13, 2015.
- The subject draft plan of condominium application proposes to create a common element condominium inclusive of a roadway, visitor parking and amenity area for a 32 unit townhouse development.
- Approval of the draft plan of condominium would provide shared ownership and maintenance of the common elements and is appropriate for the orderly development of the lands.

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- No circulated internal department or external agencies raised concerns with the application.
- Staff recommends approval of the draft plan of condominium subject to the conditions outlined in Appendix C.

BACKGROUND

Proposal

The applicant seeks approval for a plan of condominium to create a common element condominium inclusive of a roadway, visitor parking and amenity area for a 32 unit townhouse development, as shown in Figure 1. Submission materials are posted on the town’s website: <https://www.oakville.ca/business/da-30692.html>

Location

The subject lands are generally located at the southwest corner of George Savage Avenue & Hibiscus Gardens, east of Shannon’s Creek (Figure 2) and are municipally known as 3016-3042, 3046, 3048, 3050 George Savage Avenue and 3000 to 3033 Rivertrail Common. The property is irregularly shaped and has approximately 30 m of frontage onto Hibiscus Gardens, 130 m of frontage on George Savage Avenue and a site area of 0.79 ha.

Surrounding Land Uses

The surrounding land uses are as follows:

North:	Residential
East:	Residential and George Savage Pond
South:	Residential designated Dundas Urban Core
East:	Shannon’s Creek

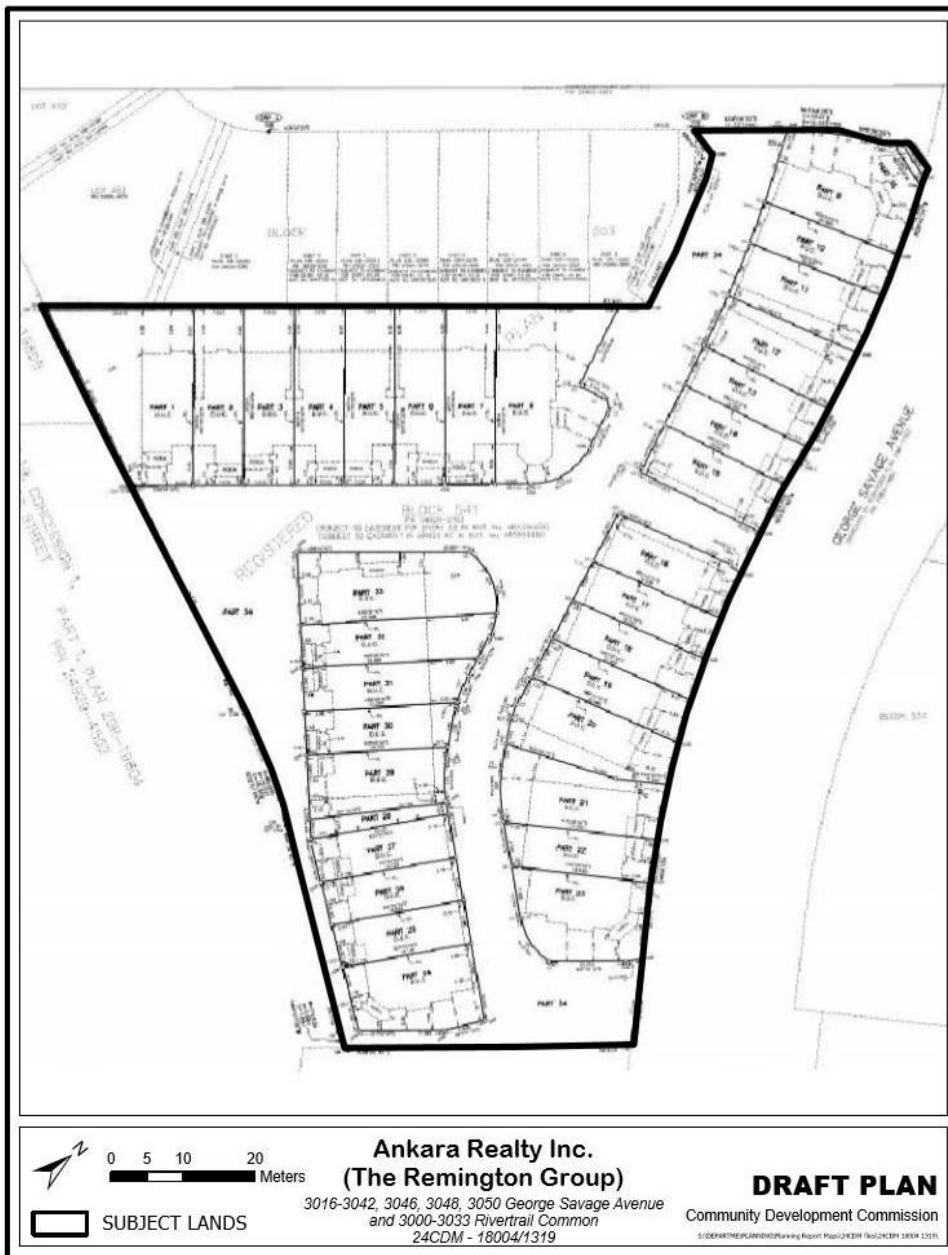
Timing

The subject lands form part of the Preserve Phase 2 subdivision which includes 934 residential units, a neighbourhood park, an elementary school site, stormwater management pond and dedication of a portion of the Natural Heritage System. Council approved the Preserve Phase 2 draft plan of subdivision (24T-14001/1318) on June 9, 2014 and it was registered on April 13, 2015. Subsequently, final site plan approval (SP. 1318.004/01) for the subject lands was granted on November 9, 2017. As the site layout and other site plan matters have been finalized, this allows for consideration of the subject draft plan of condominium application which was deemed complete on August 13th, 2018. A revised submission was submitted by

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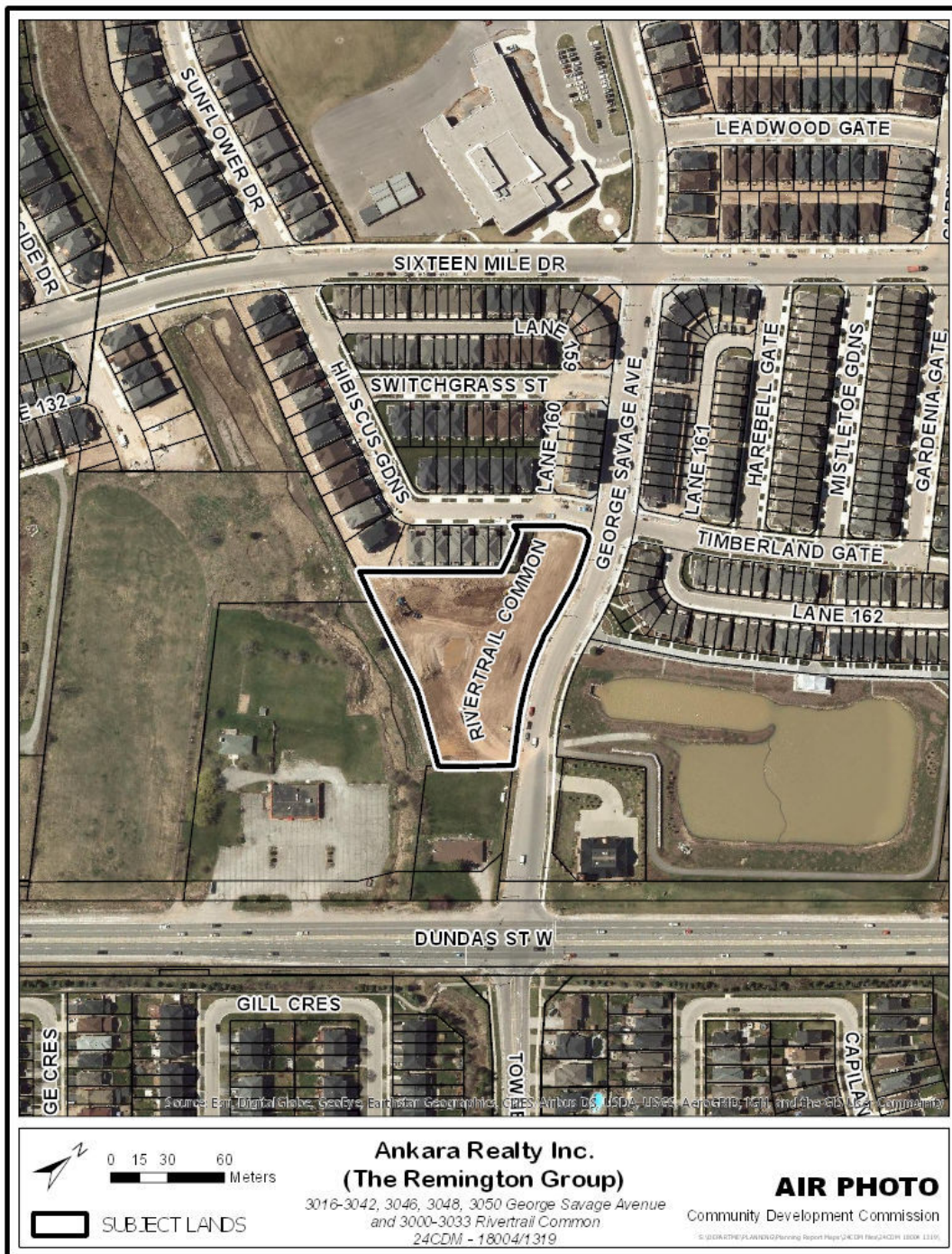
the applicant on January 8, 2019, to address technical comments received as a result of the initial circulation of the file.

Figure 1 – Draft Plan of Condominium



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Figure 2 – Air Photo



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PLANNING POLICY & ANALYSIS:

The property is subject to the following policy and regulatory framework:

- Provincial Policy Statement (2014)
- 2017 Growth Plan for the Greater Golden Horseshoe (2007)
- Halton Region Official Plan
- North Oakville East Secondary Plan
- Zoning By-law 2009-189

Provincial Policy Statement

The Provincial Policy Statement (2014) ('PPS') is intended to promote a policy led system, which recognizes that there are complex relationships among environmental, economic and social factors in land use planning. The PPS encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas and by promoting a compact development form.

The subject lands are located within a settlement area, which are to be the focus of growth and development. The land use patterns within the settlement area are based on densities and a mix of land uses that, among other matters, efficiently use land and resources, appropriately use the infrastructure and public service facilities that are planned or available and are transit supportive.

The PPS 2014 encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas and by providing a compact development form. In doing this, the PPS recognizes that healthy, liveable and safe communities are sustained by, among other matters, accommodating an appropriate range and mix of densities and land uses and protection of natural features.

Staff is of the opinion that the proposed Draft Plan of Condominium is consistent with the 2014 Provincial Policy Statement as it adds to the range of residential uses in the NOE Plan Area, provides for compact development that makes use of existing municipal infrastructure, including existing and future transit facilities located south of the subject property on Dundas Street.

Growth Plan (2017)

The Growth Plan is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment.

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The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1).

The subject lands are located within a “Designated Greenfield Area”, where areas are to be planned, designated, zoned and designed in a manner that supports the achievement of complete communities, supports active transportation and encourages the integration and sustained viability of transit services. Staff is of the opinion that the proposed Draft Plan of Condominium conforms and therefore does not conflict with the Growth Plan 2017 as the application contributes to the achievement of complete communities by providing a mix of residential unit types to help accommodate people at different stages of life, household size and income.

Halton Region Official Plan

The subject lands are designated Urban Area and located within the Greenfield Area and is in proximity to Dundas Street West, a Higher Order Transit Corridor, which is part of a Regionally identified Intensification Area. The policies of the Urban Area designation support a form of growth that is compact, supportive of transit and the development of vibrant and healthy mixed use communities, which afford maximum choices for residence, work and leisure. Sections 77, 78 and 81 of the Regional Official Plan further supports providing opportunities for live/work relationships, and achieving higher greenfield densities as defined and prescribed by Local Official Plan policies. The proposed Draft Plan of Condominium conforms with the Regional Official Plan, given the proposed development represents compact development.

Livable Oakville Plan

Urban Structure

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10, 2011 and is currently undergoing a 5 year Official Plan Review to ensure the policies are consistent with the latest Provincial and Regional policies, support the Town’s strategic goals, and reflect the visions and needs of the community. Schedule A1, Urban Structure, of the Livable Oakville Plan provides the basic structural elements for the Town. On September 27, 2017, Council adopted Official Plan Amendment 15 (OPA 15) to the Livable Oakville Plan and OPA 317, which confirms the Town’s existing urban structure in terms of nodes (growth areas) and corridors. OPA 15 was approved by Halton Region on April 26, 2018 and there is one appeal pending related to portions of OPA 15.

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The subject lands are identified on Schedule A1 – Urban Structure as forming part of the Residential Area, and is adjacent to the Town's system of Nodes and Corridors and front onto Dundas Street, which is identified as a Regional Transit Priority Corridor.

Oakville Official Plan - North Oakville East Secondary Plan

The North Oakville East Secondary Plan (NOESP) was approved by the Ontario Municipal Board in 2008 through OPA 272. The Secondary Plan includes detailed policies establishing general development objectives to guide the future development of the area covered by the Plan.

The subject lands are designated Neighbourhood Area on Figure NOE 2, Land Use Plan in the NOESP. The proposed Draft Plan of Condominium maintains the intent of the NOESP and implements the approved site plan application.

Zoning By-law 2009-189

The subject lands are zoned Neighbourhood Centre Special Provision 27 (NC SP:27). A minor variance application C.A.V. A/080/2017 was approved on May 9, 2017 to permit the orientation of the buildings. The minor variance is in full force. The proposed development complies with the By-law, as varied.

TECHNICAL & PUBLIC COMMENTS

Technical Review

The purpose of the proposed Plan of Condominium is to create a common element condominium which includes a common roadway, visitor parking and landscaped areas. A future application for removal of Part Lot Control will be required, in order to create Parcels of Tied Land (POTL's), to allow for the transfer of ownership to purchasers.

Through the review of previous applications approved by Council (Draft plan of Subdivision, Zoning By-law Amendment), Site Plan Committee (Site Plan) and Committee of Adjustment (Minor Variance) the development has been subject to detailed technical analysis. Specifically, the following matters were addressed through previous processes:

- Built form and site layout
- Landscaping and urban design
- Grading and stormwater management
- Site servicing

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- Vehicle movements
- Regional servicing requirements
- Conformity with NOESP and compliance with the Zoning By-law
- Financial obligations

The proposed common element condominium which includes a common roadway, visitor parking and amenity area is consistent with the plans approved as part of the November 9, 2017 site plan approval (SP.1318.004/01).

The Draft Plan of Condominium application was circulated to internal departments and external agencies for comments and no issues were raised. The financial obligations of the developer as it relates to the construction of the development have been addressed through the conditions of site plan approval. Accordingly, staff have determined that the proposed plan of condominium meets the criteria established in Section 51(24) of the *Planning Act* and is consistent with the NOESP. There are no zoning compliance issues.

Matters raised by the Public

Opportunities for public comment were provided through the processing of previously approved applications approved by Council (Draft plan of Subdivision, Zoning By-law Amendment), Site Plan Committee (Site Plan) and Committee of Adjustment (Minor Variance). No public comments have been received in response to the mailed notice of complete application for the subject application. Staff have included a recommendation that 'comments from the public have been appropriately addressed', to satisfy the requirements introduced through *Bill 73, The Smart Growth for Our Communities Act*. If public input is received, the recommendations of this report could be amended to address how such submissions have affected Council's planning decisions.

CONCLUSIONS

Staff recommends approval of the draft plan of condominium subject to the conditions in Appendix C, as the application is consistent with the Provincial Policy Statement, does not conflict with Provincial plans or to the Region of Halton Official Plan, has regard for matters of Provincial interest, and represents good planning. Further, the application is consistent with the North Oakville East Secondary Plan and Zoning By-law 2009-189, as varied and the following requirements have been satisfied:

- The proposed plan of condominium meets the criteria established in Section 51(24) of the *Planning Act*;

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- The proposed development conforms to the NOESP and complies with the Zoning By-law regulations applicable to the subject lands.
- A full circulation has been undertaken and there are no outstanding financial or planning issues to be resolved;
- The development has been granted final site plan approval where site servicing, grading and stormwater management, landscaping, urban design and financial obligations were addressed.
- There is no need for a condominium agreement as all financial, design and technical requirements have been addressed through the site plan approval process and the Town holds sufficient securities to guarantee the completion of the required site works.
- Opportunities for public participation were provided as part of previous Subdivision, Variance and Site Plan application processes.
- Approval of the draft plan of condominium is necessary to provide shared ownership and maintenance of the common elements and is appropriate for the orderly development of the lands.

CONSIDERATIONS:

(A) PUBLIC

Notice of complete application was provided through a mailing to all properties within 120 m of the subject property. No comments have been received from the public in response to the notice.

(B) FINANCIAL

None arising from this report

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for review. Concerns from the circulated departments and agencies raised have been addressed in this staff report and, if required, have been included as conditions of draft approval in Appendix C.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be the most livable town in Canada

(E) COMMUNITY SUSTAINABILITY

The proposal furthers the sustainability principles established within the North Oakville East Secondary Plan.

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APPENDICES:

A – North Oakville Secondary Plan (NOE2, Land Use Plan)

B – Existing Zoning By-law

C – Conditions of Draft Plan Approval

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